

COURT COURT OF QUEEN'S BENCH OF ALBERTA IN
BANKRUPTCY AND INSOLVENCY

JUDICIAL EDMONTON
CENTRE

COURT/
BANKRUPTCY 24 -116176
FILE NUMBER
PROCEEDING



**IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY ACT*,
R.S.C. 1985, c. B-3, AS AMENDED**

AND IN THE MATTER OF MOD PANEL MANUFACTURING LTD.

DOCUMENT **AFFIDAVIT OF SERVICE**

ADDRESS MILLER THOMSON LLP
FOR SERVICE 2700, Commerce Place
AND Edmonton, AB, Canada T5J 4G8
CONTACT Attention: Terrence M. Warner
INFORMATION Telephone: 780.429.1751 Fax: 780.424.5866
OF PARTY E-mail: twarner@millerthomson.com
FILING THIS File No.: 258523.1
DOCUMENT

AFFIDAVIT OF TOMOE AOKI

Sworn on May 7, 2021.

I, Tomoe Aoki, of the City of Edmonton, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am a legal assistant with the law firm of Miller Thomson LLP, and as such have personal knowledge of the facts and matters hereinafter deposed to, except where stated to be based upon information and belief, and where so stated I verily believe the same to be true.
2. The following documents were filed with the Court in the within action:
 - (a) Application by Plaintiff returnable May 7, 2021 filed May 7, 2021; and
 - (b) Affidavit of Jacquelyn Colville sworn March 10, 2021, filed May 7, 2020.(hereinafter collectively referred to as the “**Application Documents**”).
3. On May 3, 2021, I caused the following parties to be served with the Application Documents via email:
 - (a) Stillman LLP – lawyers@stillmanllp.com

- (b) Borden Ladner Gervais LLP, Attention: Erin Cutts – ecutts@blg.com
- (c) Dentons, Attention: Ameen Tejani – ameen.tejani@dentons.com
4. Attached hereto and marked as **Exhibit "A"** to my Affidavit are true copies of the service letter and the email to Stillman LLP.
5. Attached hereto and marked as **Exhibit "B"** to my Affidavit are true copies of the service letter and the email to Borden Ladner Gervais LLP.
6. Attached hereto and marked as **Exhibit "C"** to my Affidavit are true copies of the service letter and the email to Dentons.

SWORN before me at the City of
Edmonton, in the Province of Alberta, this
7th day of May, 2021.


A COMMISSIONER FOR OATHS
in and for the Province of Alberta

MARK SIRY
BARRISTER & SOLICITOR


Tomoe Aoki



MILLER THOMSON
AVOCATS | LAWYERS

MILLER THOMSON LLP
COMMERCE PLACE
10155 - 102 STREET, SUITE 2700
EDMONTON, AB T5J 4G8
CANADA

T 780.429.1751
F 780.424.5866

MILLERTHOMSON.COM

May 3, 2021

Private and Confidential

Via email: pprnotices@stillmanllp.com

Terrence M. Warner
Direct Line: 780.429.9727
Direct Fax: 780.424.5866
twarner@millerthomson.com

File: 258523.1

Stillman LLP
#100 Sterling Business Center
17420 Stony Plain Rd
Edmonton, AB T5S 1K6

Dear Sir/Madam:

**Re: IN THE MATTER OF MOD PANEL MANUFACTURING LTD., of the City of
Edmonton, in the Province of Alberta; Application for Bankruptcy Order**

Please find enclosed for service upon you, as counsel for Mule-Hide Products Co., Inc (writ holder), the following documents:

1. Originating Application returnable May 7, 2021 at 3:00 pm (sent for email filing and awaiting filed copy); and
2. Supporting Affidavit of Jacquelyn Colville sworn March 10, 2021 (sent for email filing and awaiting filed copy).

Please be advised that **Virtual Courtroom 86** has been assigned:

Virtual Courtroom Link:

<https://albertacourts.webex.com/meet/virtual.courtroom86>

We enclose a copy of the Webex Confirmation for your reference.

Yours truly,

MILLER THOMSON LLP

Per:

Terrence M. Warner
Partner

MARK SIRY
BARRISTER & SOLICITOR

TMW/ta

Enclosure
54255869.1

This is
Exhibit " A "
referred to in the
Affidavit of
Tomoe Aok
Sworn before me this
7th day of
May 20 21

A Notary Public, A Commissioner
for Oaths in and for the
Province of Alberta

Aoki, Tomoe

From: Aoki, Tomoe
Sent: Monday, May 3, 2021 2:15 PM
To: lawyers@stillmanllp.com
Cc: Warner, Terry; 0258523_0001 _ TNT MPM Holdings Inc_ _re_ Mod Panel Manufacturing Ltd_ E-Mail_Courriel
Subject: In the Matter of Mod Panel Manufacturing Ltd. - Application for Bankruptcy Order (258523.1) [MTDMS-Legal.FID9492596]
Attachments: Sworn Affidavit of Jacquelyn Colville.PDF; Originating Application for Bankruptcy Order.PDF; **[**EXT**]** Webex Confirmation - ITMO v. MOD PANEL MANUFACTURING LTD - May 07, 2021 03:00 PM - SHELLEY, J - Confirmed; Service Letter to Stillman LLP - May 3, 2021.PDF

Good afternoon,

The attached email was returned to our office as undeliverable. Could you please forward this to the appropriate lawyer handling this matter?

Thank you for your assistance in this regard,
Tomoe

TOMOE AOKI

Legal Assistant

Miller Thomson LLP

Services provided through Miltom Management LP
2700 Commerce Place
10155 - 102 Street
Edmonton, Alberta T5J 4G8
Direct Line: +1 780.429.9475
Fax: +1 780.424.5866
Email: taoki@millerthomson.com
millerthomson.com



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From: Aoki, Tomoe
Sent: Monday, May 3, 2021 11:30 AM
To: pprnotices@stillmanllp.com
Cc: Warner, Terry <twarner@millerthomson.com>; 0258523_0001 _ TNT MPM Holdings Inc_ _re_ Mod Panel Manufacturing Ltd_ E-Mail_Courriel <{F9492596}.Legal@mtdmswcsec.millerthomson.com>
Subject: In the Matter of Mod Panel Manufacturing Ltd. - Application for Bankruptcy Order (258523.1) [MTDMS-Legal.FID9492596]

Sent on behalf of Terrence M. Warner

Good morning,

Please see the attached copy of a correspondence and enclosures for your review.

Thank you,
Tomoe

TOMOE AOKI
Legal Assistant

Miller Thomson LLP
Services provided through Miltom Management LP
2700 Commerce Place
10155 - 102 Street
Edmonton, Alberta T5J 4G8
Direct Line: +1 780.429.9475
Fax: +1 780.424.5866
Email: taoki@millerthomson.com
millerthomson.com



MILLER THOMSON
ASSOCIATES LAWYERS

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MILLERTHOMSON.COM

May 3, 2021

Private and Confidential

Via email: ecutts@blg.com

Terrence M. Warner
Direct Line: 780.429.9727
Direct Fax: 780.424.5866
twarner@millerthomson.com

File: 258523.1

Borden Ladner Gervais LLP
Centennial Place, East Tower
520 3rd Avenue SW, Suite 1900
Calgary, Alberta T2P 0R3

Attention: Erin Cutts

Dear Madam

**Re: IN THE MATTER OF MOD PANEL MANUFACTURING LTD., of the City of
Edmonton, in the Province of Alberta; Application for Bankruptcy Order**

Please find enclosed for service upon you, in regard to the arbitration initiated by
Graham Design Builder, the following:

1. Originating Application returnable May 7, 2021 at 3:00 pm (sent for email filing and awaiting filed copy); and
2. Supporting Affidavit of Jacquelyn Colville sworn March 10, 2021 (sent for email filing and awaiting filed copy).

Please be advised that **Virtual Courtroom 86** has been assigned:

Virtual Courtroom Link:

<https://albertacourts.webex.com/meet/virtualcourtroom86>

We enclose a copy of the Webex Confirmation for your reference.

Yours truly,

MILLER THOMSON LLP

Per: 

Terrence M. Warner
Partner

TMW/ta

Enclosure

This is
Exhibit " B "
referred to in the
Affidavit of
Tomac Aoki
Sworn before me this
7th day of
May 20 21

A Notary Public / Commissioner
for Oaths in and for the
Province of Alberta

MARK SIRY
BARRISTER & SOLICITOR

Aoki, Tomoe

From: Aoki, Tomoe
Sent: Monday, May 3, 2021 11:28 AM
To: ecutts@blg.com
Cc: Warner, Terry; 0258523_0001 _ TNT MPM Holdings Inc_ _re_ Mod Panel Manufacturing Ltd_ E-Mail_Courriel
Subject: In the Matter of Mod Panel Manufacturing Ltd. - Application for Bankruptcy Order (258523.1) [MTDMS-Legal.FID9492596]
Attachments: Sworn Affidavit of Jacquelyn Colville.PDF; Originating Application for Bankruptcy Order.PDF; **[**EXT**]** Webex Confirmation - ITMO v. MOD PANEL MANUFACTURING LTD - May 07, 2021 03:00 PM - SHELLEY, J - Confirmed; Service Letter to BLG LLP - May 3, 2021.PDF

Sent on behalf of Terrence M. Warner

Good morning Ms. Cutts,

Please see the attached copy of a correspondence and enclosures for your review.

Thank you,
Tomoe

TOMOE AOKI
Legal Assistant

Miller Thomson LLP
Services provided through Miltom Management LP
2700 Commerce Place
10155 - 102 Street
Edmonton, Alberta T5J 4G8
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EDMONTON, AB T5J 4G8
CANADA

T 780.429.1751
F 780.424.5866

MILLERTHOMSON.COM

May 3, 2021

Private and Confidential

Via email: ameen.tejani@dentons.com

Terrence M. Warner
Direct Line: 780.429.9727
Direct Fax: 780.424.5866
twarner@millerthomson.com

File: 258523.1

Dentons
2500 Stantec Tower
10220 103 Ave NW
Edmonton, AB T5K 0K4

Attention: Ameen Tejani

Dear Sir:

**Re: IN THE MATTER OF MOD PANEL MANUFACTURING LTD., of the City of
Edmonton, in the Province of Alberta; Application for Bankruptcy Order**

Please find enclosed for service upon you, as counsel for Dave and Kathryn Kennedy, the following:

1. Originating Application returnable May 7, 2021 at 3:00 pm (sent for email filing and awaiting filed copy); and
2. Supporting Affidavit of Jacquelyn Colville sworn March 10, 2021 (sent for email filing and awaiting filed copy).

Please be advised that **Virtual Courtroom 86** has been assigned:

Virtual Courtroom Link:

<https://albertacourts.webex.com/meet/virtualcourtroom86>

We enclose a copy of the Webex Confirmation for your reference.

Yours truly,

MILLER THOMSON LLP

Per:

Terrence M. Warner
Partner

TMW/ta

Enclosure

This is
Exhibit " C "
referred to in the
Affidavit of
Tomoe Aok
Sworn before me this
7th day of
May 2021

A Notary Public, A Commissioner
for Oaths in and for the
Province of Alberta

MARK SIRY
BARRISTER & SOLICITOR

Aoki, Tomoe

From: Aoki, Tomoe
Sent: Monday, May 3, 2021 11:27 AM
To: ameen.tejani@dentons.com
Cc: Warner, Terry; 0258523_0001 _ TNT MPM Holdings Inc._re_ Mod Panel Manufacturing Ltd_ E-Mail_Courriel
Subject: In the Matter of Mod Panel Manufacturing Ltd. - Application for Bankruptcy Order (258523.1) [MTDMS-Legal.FID9492596]
Attachments: Service Letter to Dentons - May 3, 2021.PDF; Sworn Affidavit of Jacquelyn Colville.PDF; Originating Application for Bankruptcy Order.PDF; **[**EXT**]** Webex Confirmation - ITMO v. MOD PANEL MANUFACTURING LTD - May 07, 2021 03:00 PM - SHELLEY, J - Confirmed

Sent on behalf of Terrence M. Warner

Good morning Mr. Tejani,

Please see the attached copy of a correspondence and enclosures for your review.

Thank you,
Tomoe

TOMOE AOKI
Legal Assistant

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2700 Commerce Place
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